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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,444	04/20/2004	Masayuki Sakakura	12732-232001	2785
26171	7590	09/22/2006	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			PATEL, ASHOK	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/827,444		SAKAKURA ET AL.	
	Examiner		Art Unit	
	Ashok Patel		2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 3,4,9 and 10 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,5 and 6 is/are allowed.
- 6) ☒ Claim(s) 7 and 11 is/are rejected.
- 7) ☒ Claim(s) 8,12 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4 pages</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Applicant's election without traverse of Species III, Figures 4 and 11, in the reply filed on 06/19/2006 is acknowledged. Species I and II (including claims 3, 4, 9 and 10) are withdrawn from consideration. An action on merits including claims 1, 2, 5-8 and 11-13 is as follows.

2. Claims 7, 8 and 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 7, line 12: the limitation "the second video signal line overlaps the current supply line....." renders the claim vague since there are two video signal lines (701a and 701b) each separately overlapping its respective current supply line (704 or 704b). The second video signal line is 701b which overlaps the second current line 704a. When two signal lines are recited in the claim, each video signal has to be recited as overlapping with respective current supply line. Also the second current supply line has to be defined within the claim to provide necessary antecedent basis.

Claim 11 is rejected for similar reason since language of claim 11 is substantially similar to that of claim 7.

Claims 8, 12 and 13 are necessarily rejected since they depend upon rejected base claims 7 and 11.

Claims 1, 2, 5, 6, 7, 8 and 11-13 are allowed over prior art of the record since prior art of the record does not fairly disclose or teach applicant's claimed display device including:

(a) a video signal line, a current supply line, and an insulating layer as specifically recited in claim 1, wherein the video signal line is overlapped with the current supply line at least partly; or

(b) a video signal line, a current supply line, a power supply line and an insulating layer as specifically recited in claim 5, wherein the video signal line overlaps the current supply line at least partly, and the power supply line overlaps the current supply line at least partly, as specifically recited in claim 5; or

(c) first and second video signal lines, first and second current supply lines, an insulating layer, a switching transistor, a driving transistor, an erasing transistor, and a light emitting device, as specifically recited in claim 7, wherein the second video signal line overlaps the (second) current supply line at least partly, or

(d) first and second video signal lines, first and second current supply lines, a power supply line, an insulating layer,

Art Unit: 2879

a switching transistor, a driving transistor, an erasing transistor, and a light emitting device, and a current control transistor, as specifically recited in claim 11, wherein the second video signal line overlaps the (second) current supply line at least partly and the power supply overlaps the (first) current supply line at least partly.

3. Claims 1, 2, 5 and 6 are in the condition for allowance.

4. Claims 7 and 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

5. Claims 8, 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Yudasaka, Sun, Murakami and Yamada each are cited for showing a general structure of a display device.

Art Unit: 2879

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok Patel whose telephone number is 571-272-2456. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ashok Patel
Primary Examiner
Art Unit 2879